

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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PABLO MATEO SARANTE, :
Plaintiff, : 22-CV-1953 (PGG) (OTW)
-against- :
ORDER
BOSTON ROAD HOUSING DEVELOPMENT :
FUND COMPANY, INC., et al., :
Defendants. :
-----x

ONA T. WANG, United States Magistrate Judge:

The Court held a Pre-Settlement Conference Call in this matter on October 20, 2022.

The parties disagree over whether their proposed settlement agreement should contain a non-disparagement clause. The parties are directed to meet and confer on whether such a non-disparagement clause – with appropriate carve-outs¹ – is necessary in this particular settlement agreement.

Having come so far on all of the other terms of the settlement, it is the Court's hope that the parties will be able to sign a settlement agreement that is mutually agreeable. If the non-disparagement clause proposed by Defendants in ECF 15 *is not permitted as a matter of law*, and the parties are not able to reach agreement on the inclusion (or not) of such a clause, then Plaintiff shall make a motion for the Court to modify the terms of the parties' settlement agreement by **October 28, 2022**.

¹ *Lopez v. Nights of Cabiria, LLC*, 96 F. Supp. 3d 170, 180 n. 65 (S.D.N.Y. 2015).

Defendants' response, if any, is due **November 4, 2022**.

SO ORDERED.

Dated: October 20, 2022
New York, New York

s/ Ona T. Wang
Ona T. Wang
United States Magistrate Judge